

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY WHALEY,

Defendant.

No. MJ25-157

MOTION TO PERMIT TRAVEL

Note for Consideration:  
April 8, 2025

Defendant, Bradley Whaley, by undersigned counsel, respectfully moves the Court to permit him to travel to South Africa from April 9 to April 27, 2025. This would require the Court to temporarily return Mr. Whaley's passport, which was surrendered to the Clerk of the Court as a condition of Mr. Whaley's release, to him. Counsel has sought the position of both Mr. Whaley's supervising probation officer and the government. The government opposes the request. As of the filing of this motion, the position of the probation office is unknown. The request is based on the following.

A complaint against Mr. Whaley was filed in this matter on March 21, 2025. It charges Mr. Whaley with making interstate threats by telephone against a member of Congress. Mr. Whaley was arrested and made his initial appearance on March 24, 2025. The Court released Mr. Whaley on an appearance bond at that time. While Mr. Whaley has only been out of custody for

1 a short time, he has fully complied with the conditions of his appearance bond since his release.  
2 This motion implicates several conditions of Mr. Whaley's appearance bond: 1) the requirement  
3 that he remain in the Western District of Washington, 2) the requirement that he submit his  
4 passport to the Clerk of the Court, 3) the requirement that he participate in the location monitoring  
5 program, and 4) the requirement that he appear for a bond status hearing on April 25, 2025.

6 Mr. Whaley brings this motion for permission to travel because back in January of this  
7 year he and his wife booked and paid for a trip to South Africa. See Exhibit 1. They paid over  
8 \$15,000 for this trip, which is not refundable. The trip is scheduled for April 9 to April 27, 2025,  
9 and cannot be moved.

10 The defense recognizes that the timing of this request is not ideal, given that Mr. Whaley  
11 was just arrested and released, and has not been able to build a track record of bond compliance.  
12 Despite this, however, the defense notes that the proposed trip is not likely to lead to any negative  
13 consequences. Mr. Whaley's employment history, minimal criminal history, age, and  
14 connections to Western Washington all suggest that he is not a risk of flight. Similarly, because  
15 the trip was purchased well before Mr. Whaley had any reason to believe he might be facing a  
16 criminal prosecution, the request is not suspect. Further, given the nature of the allegations, it  
17 does not appear that a trip to South Africa is likely to result in any risks to the alleged victim or  
18 any other members of the public.

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20 For these reasons, the defense respectfully requests that the Court issue an order approving  
21 the requested travel, ordering the temporary return of Mr. Whaley's passport, and resetting the  
22 bond status hearing to a date after Mr. Whaley's return.  
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1 Respectfully submitted this 4<sup>th</sup> day of April, 2025.

2 BLACK & ASKEROV, PLLC

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